UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/658,341 | 09/10/2003 | Masatoshi Kimura | 031103 | 1883 |

38834 7590 02/23/2006

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

| EXAMINER | |
|---|---|
| YANCHUS III, PAUL B | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2116 | |

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/658,341 | KIMURA ET AL. | |
| | Examiner | Art Unit | |
| | Paul B. Yanchus | 2116 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *10 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9/10/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 4, 6, 7, 9, 10, 12, 13, 15, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al., US Patent no. 6,580,950 [Johnson], in view of Pearce, US Patent no. 5,675,814.

Regarding claim 1, Johnson discloses a gateway card [Control Unit in Figures 2 and 3] that is connected to an information processor [X10 Interface in Figure 5] and that receives and transmits data between different networks [Global Computer Network and X10 Network in Figure 5], the gateway card comprising:

a receiving unit [Dial Modem, DSL or Cable Modem in Figure 5] that receives from a remote control device [Data Center or Web Browser on User Computer, Figures 1 and 5] remote control data to be set to an apparatus [X10 Lights in Figure 5] to be remote controlled and a remote control request [column 4, lines 55-67 and column 5, lines 29-52]; and

a data setting unit [Microprocessor in Figure 5] that makes the information processor set the remote control data to the apparatus to be remote controlled [column 5, lines 29-52].

Johnson does not disclose changing a power mode of the information processor from a power-saving mode to a normal power mode when the receiving unit receives the remote control request, and changing the power mode from the normal power mode to the power-saving mode

when the setting of in the remote control data to apparatus to be remote controlled is complete. Pearce states that the importance of power conservation is known in the art. One well known way of achieving power conservation is shutting down parts of a computer which are not being used [column 1, lines 54-65]. Specifically, Pearce discloses supplying power to an I/O port of a computer only when I/O operations requiring that I/O port are encountered [column 2, lines 12-26]. It would have been obvious to one of ordinary skill in the art to modify the Johnson system to operate the information processor in a power-saving mode when no remote control requests requiring the information processor are received and operating the information processor in a normal mode when remote control requests requiring the information processor are received. Operating the information processor in a power-saving mode when it is not being used reduces unnecessary power consumption [Pearce, column 1, lines 54-58].

Regarding claim 3, Johnson further discloses that the data setting unit identifies one apparatus to be remote controlled from among a plurality of apparatuses from information contained in the remote control data, and makes the information processor set the remote control data to the identified apparatus [column 5, lines 40-52].

Regarding claim 4, Johnson discloses a gateway control method applied to a gateway card [Control Unit in Figures 2 and 3] that is connected to an information processor [X10 Interface in Figure 5] and that receives and transmits data between different networks [Global Computer Network and X10 Network in Figure 5], the gateway control method comprising:

receiving from a remote control device [Data Center or Web Browser on User Computer, Figures 1 and 5] remote control data to be set to an apparatus to be remote controlled [X10

Lights in Figure 5] and a remote control request [column 4, lines 55-67 and column 5, lines 29-52]; and

making the information processor set the remote control data to the apparatus to be remote controlled [column 5, lines 29-52].

Johnson does not disclose changing a power mode of the information processor from a power-saving mode to a normal power mode when the receiving unit receives the remote control request, and changing the power mode from the normal power mode to the power-saving mode when the setting of in the remote control data to apparatus to be remote controlled is complete. Pearce states that the importance of power conservation is known in the art. One well known way of achieving power conservation is shutting down parts of a computer which are not being used [column 1, lines 54-65]. Specifically, Pearce discloses supplying power to an I/O port of a computer only when I/O operations requiring that I/O port are encountered [column 2, lines 12-26]. It would have been obvious to one of ordinary skill in the art to modify the Johnson method to operate the information processor in a power-saving mode when no remote control requests requiring the information processor are received and operating the information processor in a normal mode when remote control requests requiring the information processor are received. Operating the information processor in a power-saving mode when it is not being used reduces unnecessary power consumption [Pearce, column 1, lines 54-58].

Regarding claim 6, Johnson further discloses identifying one apparatus to be remote controlled from among a plurality of apparatuses from information contained in the remote control data, and making the information processor set the remote control data to the identified apparatus. [column 5, lines 40-52].

Regarding claim 7, Johnson discloses a computer program that is applied to a gateway card [Control Unit in Figures 2 and 3] that is connected to an information processor [X10 Interface in Figure 5] and that receives and transmits data between different networks [Global Computer Network and X10 Network in Figure 5], the gateway control method comprising:

receiving from a remote control device [Data Center or Web Browser on User Computer, Figures 1 and 5] remote control data to be set to an apparatus to be remote controlled and a remote control request [column 4, lines 55-67 and column 5, lines 29-52]; and

making the information processor set the remote control data to the apparatus to be remote controlled [column 5, lines 29-52].

Johnson does not disclose changing a power mode of the information processor from a power-saving mode to a normal power mode when the receiving unit receives the remote control request, and changing the power mode from the normal power mode to the power-saving mode when the setting of in the remote control data to apparatus to be remote controlled is complete. Pearce states that the importance of power conservation is known in the art. One well known way of achieving power conservation is shutting down parts of a computer which are not being used [column 1, lines 54-65]. Specifically, Pearce discloses supplying power to an I/O port of a computer only when I/O operations requiring that I/O port are encountered [column 2, lines 12-26]. It would have been obvious to one of ordinary skill in the art to modify the Johnson method to operate the information processor in a power-saving mode when no remote control requests requiring the information processor are received and operating the information processor in a normal mode when remote control requests requiring the information processor are received.

Operating the information processor in a power-saving mode when it is not being used reduces unnecessary power consumption [Pearce, column 1, lines 54-58].

Regarding claim 9, Johnson further discloses identifying one apparatus to be remote controlled from among a plurality of apparatuses from information contained in the remote control data, and making the information processor set the remote control data to the identified apparatus. [column 5, lines 40-52].

Regarding claim 10, Johnson discloses a gateway apparatus [Control Unit in Figures 2 and 3] having an information processor [X10 Interface in Figure 5] and a gateway section that is connected to the information processor and that receives and transmits data between different networks [Global Computer Network and X10 Network in Figure 5], wherein the gateway section includes

a receiving unit [Dial Modem, DSL or Cable Modem in Figure 5] that receives from a remote control device [Data Center or Web Browser on User Computer, Figures 1 and 5] remote control data to be set to an apparatus [X10 Lights in Figure 5] to be remote controlled and a remote control request [column 4, lines 55-67 and column 5, lines 29-52]; and

a data setting unit [Microprocessor in Figure 5] that makes the information processor set the remote control data to the apparatus to be remote controlled [column 5, lines 29-52].

Johnson does not disclose changing a power mode of the information processor from a power-saving mode to a normal power mode when the receiving unit receives the remote control request, and changing the power mode from the normal power mode to the power-saving mode when the setting of in the remote control data to apparatus to be remote controlled is complete. Pearce states that the importance of power conservation is known in the art. One well known

way of achieving power conservation is shutting down parts of a computer which are not being used [column 1, lines 54-65]. Specifically, Pearce discloses supplying power to an I/O port of a computer only when I/O operations requiring that I/O port are encountered [column 2, lines 12-26]. It would have been obvious to one of ordinary skill in the art to modify the Johnson system to operate the information processor in a power-saving mode when no remote control requests requiring the information processor are received and operating the information processor in a normal mode when remote control requests requiring the information processor are received. Operating the information processor in a power-saving mode when it is not being used reduces unnecessary power consumption [Pearce, column 1, lines 54-58].

Regarding claim 12, Johnson further discloses that the data setting unit identifies one apparatus to be remote controlled from among a plurality of apparatuses from information contained in the remote control data, and makes the information processor set the remote control data to the identified apparatus [column 5, lines 40-52].

Regarding claim 13, Johnson discloses a gateway control method applied to a gateway apparatus [Control Unit in Figures 2 and 3] that has an information processor [X10 Interface in Figure 5] and a gateway section that is connected to the information processor and that receives and transmits data between different networks [Global Computer Network and X10 Network in Figure 5], wherein the gateway section executes

receiving from a remote control device [Data Center or Web Browser on User Computer, Figures 1 and 5] remote control data to be set to an apparatus to be remote controlled [X10 Lights in Figure 5] and a remote control request [column 4, lines 55-67 and column 5, lines 29-52];

making the information processor set the remote control data to the apparatus to be remote controlled [column 5, lines 29-52].

Johnson does not disclose changing a power mode of the information processor from a power-saving mode to a normal power mode when the receiving unit receives the remote control request, and changing the power mode from the normal power mode to the power-saving mode when the setting of in the remote control data to apparatus to be remote controlled is complete. Pearce states that the importance of power conservation is known in the art. One well known way of achieving power conservation is shutting down parts of a computer which are not being used [column 1, lines 54-65]. Specifically, Pearce discloses supplying power to an I/O port of a computer only when I/O operations requiring that I/O port are encountered [column 2, lines 12-26]. It would have been obvious to one of ordinary skill in the art to modify the Johnson method to operate the information processor in a power-saving mode when no remote control requests requiring the information processor are received and operating the information processor in a normal mode when remote control requests requiring the information processor are received. Operating the information processor in a power-saving mode when it is not being used reduces unnecessary power consumption [Pearce, column 1, lines 54-58].

Regarding claim 15, Johnson further discloses identifying one apparatus to be remote controlled from among a plurality of apparatuses from information contained in the remote control data, and making the information processor set the remote control data to the identified apparatus. [column 5, lines 40-52].

Regarding claim 16, Johnson discloses a computer program applied to a gateway apparatus [Control Unit in Figures 2 and 3] that has an information processor [X10 Interface in

Figure 5] and a gateway section that is connected to the information processor and that receives and transmits data between different networks [Global Computer Network and X10 Network in Figure 5], wherein the gateway section executes

receiving from a remote control device [Data Center or Web Browser on User Computer, Figures 1 and 5] remote control data to be set to an apparatus to be remote controlled [X10 Lights in Figure 5] and a remote control request [column 4, lines 55-67 and column 5, lines 29-52];

making the information processor set the remote control data to the apparatus to be remote controlled [column 5, lines 29-52].

Johnson does not disclose changing a power mode of the information processor from a power-saving mode to a normal power mode when the receiving unit receives the remote control request, and changing the power mode from the normal power mode to the power-saving mode when the setting of in the remote control data to apparatus to be remote controlled is complete. Pearce states that the importance of power conservation is known in the art. One well known way of achieving power conservation is shutting down parts of a computer which are not being used [column 1, lines 54-65]. Specifically, Pearce discloses supplying power to an I/O port of a computer only when I/O operations requiring that I/O port are encountered [column 2, lines 12-26]. It would have been obvious to one of ordinary skill in the art to modify the Johnson method to operate the information processor in a power-saving mode when no remote control requests requiring the information processor are received and operating the information processor in a normal mode when remote control requests requiring the information processor are received.

Operating the information processor in a power-saving mode when it is not being used reduces unnecessary power consumption [Pearce, column 1, lines 54-58].

Regarding claim 18, Johnson further discloses identifying one apparatus to be remote controlled from among a plurality of apparatuses from information contained in the remote control data, and making the information processor set the remote control data to the identified apparatus. [column 5, lines 40-52].

Claims 2, 5, 8, 11, 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al., US Patent no. 6,580,950 [Johnson] and Pearce, US Patent no. 5,675,814, in view of Hilt, US Patent no. 6,738,820.

Johnson and Pearce, as described above, disclose a gateway card and control method for a gateway card. Specifically, Johnson discloses that the remote controlled apparatus [lighting controls] may also send status information to the remote control device [column 5, lines 45-49]. Therefore a user at the remote control device could send a command to the lighting controls to turn on/off the lights and then receive status information from the lighting controls indicating if the lights were in fact turned on/off. Johnson does not disclose that the status information is sent to the remote control device via email. Hilt discloses a gateway comprising an email module that sends emails containing status information to a remote control device [column 3, line 65 – column 4, line 9 and column 4, lines 30-34]. It would have been obvious to one of ordinary skill in the art to modify the Johnson and Pearce gateway card to include an email module for communicating status email messages from the controlled apparatus to the remote controlling device. One would be motivated to use email for communication between the gateway and the

remote controlling device because email services are widely available to a variety of computing devices [Hilt, column 2, line 64 – column 3, line 9].

## *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sawada, US Patent no. 6,735,619, discloses a home gateway apparatus for controlling home network devices from another network.

Ober, US Patent no. 6,665,802, discloses a power manager for managing the power supplied to individual subsystems in a computer system.

Edson, US Patent no. 6,526,581, discloses a gateway for connecting in-home devices to external networks.

Walukiewicz, US Patent no. 6,510,454, discloses reporting the status of a remote device using email.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul B. Yanchus whose telephone number is (571) 272-3678. The examiner can normally be reached on Mon-Thurs 8:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paul Yanchus
February 14, 2006

LYNNE H. BROWNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100